



Office of the Clerk  
**United States Court of Appeals for the Ninth Circuit**  
Post Office Box 193939  
San Francisco, California 94119-3939  
415-355-8000

Molly C. Dwyer  
Clerk of Court

October 02, 2020

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No.: 20-16921  
D.C. No.: 4:94-cv-02307-CW  
Short Title: John Armstrong, et al v. Gavin Newsom, et al

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Dear Appellants

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Motions filed along with the notice of appeal in the district court are not automatically transferred to this court for filing. Any motions seeking relief from this court must be separately filed in this court's docket.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

**The due dates for filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

OCT 02 2020

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JOHN ARMSTRONG; JAMES  
AMAURIC; RICHARD PONCIANO;  
JACK SWENSEN; BILLY BECK;  
JUDY FENDT; WALTER FRATUS;  
GREGORY SANDOVAL; DARLENE  
MADISON; PETER RICHARDSON;  
STEVEN HILL; DAVID ROSE;  
DAVID BLESSING; ELIO CASTRO;  
ELMER UMBENHOWER;  
RAYMOND HAYES; GENE  
HORROCKS; KIAH MINCEY;  
CLIFTON FEATHERS; WILLIE  
JOHNSON; DAVID BADILLO;  
JAMES SIMMONS; FLORA  
ABRAMS; JOEY GOUGH; TIMOTHY  
WHISMAN,

Plaintiffs - Appellees,

v.

GAVIN NEWSOM, Governor;  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION,

Defendants - Appellants.

No. 20-16921

D.C. No. 4:94-cv-02307-CW  
U.S. District Court for Northern  
California, Oakland

**TIME SCHEDULE ORDER**

The parties shall meet the following time schedule.

If there were reported hearings, the parties shall designate and, if necessary, cross-designate the transcripts pursuant to 9th Cir. R. 10-3.1. If there were no reported hearings, the transcript deadlines do not apply.

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|--------------------------------|--|
| <b>Fri., October 9, 2020</b>   | Appellants' Mediation Questionnaire due. If your registration for Appellate CM/ECF is confirmed after this date, the Mediation Questionnaire is due within one day of receiving the email from PACER confirming your registration. |
| <b>Tue., November 3, 2020</b>  | Transcript shall be ordered.   |
| <b>Wed., December 2, 2020</b>  | Transcript shall be filed by court reporter.   |
| <b>Mon., January 11, 2021</b>  | Appellants' opening brief and excerpts of record shall be served and filed pursuant to FRAP 31 and 9th Cir. R. 31-2.1.   |
| <b>Thu., February 11, 2021</b> | Appellees' answering brief and excerpts of record shall be served and filed pursuant to FRAP 31 and 9th Cir. R. 31-2.1.  |

**The optional appellants' reply brief shall be filed and served within 21 days of service of the appellees' brief, pursuant to FRAP 31 and 9th Cir. R. 31-2.1.**

**Failure of the appellants to comply with the Time Schedule Order will result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.**

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT

By: Ruben Talavera  
Deputy Clerk  
Ninth Circuit Rule 27-7